

**Senate Bill No. 1230**

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Passed the Senate August 21, 2008

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*Secretary of the Senate*

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Passed the Assembly August 15, 2008

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*Chief Clerk of the Assembly*

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This bill was received by the Governor this \_\_\_\_\_ day  
of \_\_\_\_\_, 2008, at \_\_\_\_\_ o'clock \_\_\_\_M.

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*Private Secretary of the Governor*

## CHAPTER \_\_\_\_\_

An act to add Chapter 6.5 (commencing with Section 108740) to Part 3 of Division 104 of the Health and Safety Code, relating to product safety.

## LEGISLATIVE COUNSEL'S DIGEST

SB 1230, Maldonado. Detergents: phosphorus.

Existing law prohibits the manufacture, processing, and distribution in commerce of products containing certain chemicals found to raise health risks, including, but not limited to, polybrominated diphenyl ether and phthalates.

This bill would, commencing July 1, 2010, prohibit the use, sale, manufacture, or distribution for sale of any cleaning agent, as defined, if that product contains more than .5% phosphorus by weight, except as specified.

*The people of the State of California do enact as follows:*

SECTION 1. Chapter 6.5 (commencing with Section 108740) is added to Part 3 of Division 104 of the Health and Safety Code, to read:

## CHAPTER 6.5. PHOSPHORUS IN DETERGENTS

108740. (a) Commencing July 1, 2010, no person may use, sell, manufacture, or distribute for sale any cleaning agent containing more than .5 percent phosphorus by weight, expressed as elemental phosphorus, other than an amount not exceeding 0.5 percent that is incidental to manufacturing, except as otherwise provided in this chapter.

(b) As used in this chapter, "cleaning agent" means a laundry detergent, dishwashing compound, household dishwashing detergent, household cleaner, metal cleaner, industrial cleaner, phosphate compound, or other substance that is used or intended to be used for cleaning purposes.

108742. (a) This chapter does not apply to a cleaning agent that contains greater than .5 percent phosphorus by weight, but does not exceed 8.7 percent phosphorus by weight, that is used:

- (1) In a commercial dishwashing machine.
- (2) In dairy, beverage, or food processing equipment.
- (3) As an industrial sanitizer, brightener, or acid cleaner or metal conditioner, including products containing phosphoric acid or trisodium phosphate.
- (4) In hospitals or health care facilities, veterinary hospitals or clinics, agricultural or dairy production, or the manufacture of health care supplies.
- (5) In a commercial laundry that provides laundry services for a hospital, health care facility, or veterinary hospital.
- (6) By industry for metal cleaning or conditioning.
- (7) In any medical, biological, chemical, engineering, or other laboratory, including those associated with any academic or research institution.
- (8) For cleaning hard surfaces, including household cleansers for windows, sinks, counters, ovens, tubs, or other food preparation surfaces and plumbing fixtures.
- (9) As a water-softening agent, antiscaling agent, or corrosion inhibitor, if that use is in a closed system, such as a boiler, air-conditioner, cooling tower, or hot water heating system.

(b) The exemption set forth in this section applies only to phosphate compounds, and not the ingredients of detergents, including, but not limited to, nonylphenol or alkylphenol ethoxylates.

108745. This chapter does not apply to cleaning agents that are manufactured, stored, or distributed for use or sale solely outside of this state.

Approved \_\_\_\_\_, 2008

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*Governor*